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EXAMINER

AKINTOLA, OLABODE

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Please find below and/or attached an Office communication concerning this application or proceeding.

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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 10/806,484
Filing Date: March 22, 2004
Appellant(s): MICHELSEN ET AL.

Karam J. Saab
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed February 16, 2010 appealing from the Office action mailed September 15, 2009.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

6,012,048	Gustin et al.	01-2000
20010034682	Knight et al.	10-2001

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20020016769	Barbara	02-2002
20010051923	Kosuda	12-2001
20050075968	Apostolides	04-2005
20050097050	Orcutt	05-2005
2009070230	Silverstein	03-2009

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 1-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gustin et al (US 6012048) in view of Knight et al (USPAP 20010034682).

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Re claims 1, 4 and 11-12: Gustin teaches a computerized method for transferring money, the method comprising: receiving at a host computer system from a point of sale device transactional information that includes information on a bank account that is to receive the money, wherein the money is provided in cash at the point of sale device (col. 4, lines 18-32, col. 19, lines 27-44, fig. 19F); storing the transaction information at the host computer system (col. 4, lines 18-32, col. 19, lines 27-44, fig. 19F);

Gustin further teaches transmitting at least some of the transaction information to a banking network and thence to the recipient's account in the receiving bank.

Examiner notes that Gustin's teaching is in the environment of local money transfer (i.e. within a particular country) and not international money transfer.

Gustin does not explicitly teach transmitting at least some of the transaction information to an intermediary computer system that is configured to interact with a plurality of banking networks in different countries; determining with the intermediary computer system which one of the banking networks is associated with the bank account that is to receive the money; transmitting a request from the intermediary computer network to a local banking network information on the bank account that is to receive the money and an amount of money to deposit (claims 1 and 11-12); wherein the transactional information is transmitted to the intermediary computer system in real time or in batch mode (claim 4).

However, Knight in the same field of art, teaches the concept of transmitting at least some of the transaction information to an intermediary computer system that is configured to interact with a plurality of banking networks in different countries (paragraphs 0004, 0007, 0010, 0024, 0033-

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0035, 0040) ; determining with the intermediary computer system which one of the banking networks is associated with the bank account that is to receive the money (paragraphs 0004, 0007, 0010, 0024, 0033-0035, 0040); transmitting a request from the intermediary computer network to a local banking network information on the bank account that is to receive the money and an amount of money to deposit (paragraphs 0004, 0007, 0010, 0024, 0033-0035, 0040); wherein the transactional information is transmitted to the intermediary computer system in real time or in batch mode (paragraphs 0004, 0007, 0010, 0024, 0033-0035, 0040). Therefore, it would have been obvious to one of ordinary skill in the art to include in the banking system of Gustin the ability to process international fund transfer as taught by Knight. One would have been motivated to do so in order to facilitate international electronic fund transfer that would permit a bank with access to a previously inaccessible existing international infrastructure, thereby enhancing the functionality of the process/system (paragraphs 0004).

Re claim 2: Gustin teaches crediting the bank account with the amount of money (col. 4, lines 18-32, col. 19, lines 27-44, fig. 19F).

Re claims 3 and 13: Gustin further teaches wherein a transactional identifier incorporating an account number of the bank account that is to receive the money is indicative of the local bank network (col. 4, lines 18-32, col. 19, lines 27-44, fig. 19F). Gustin does not explicitly teach wherein the intermediary computer system comprises an international bank computer system having regional banks, wherein the request to deposit the money passes from one of the regional banks and into the local banking network.

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Knight teaches wherein the intermediary computer system comprises an international bank computer system having regional banks, wherein the request to deposit the money passes from one of the regional banks and into the local banking network, and wherein a transactional identifier incorporating an account number of the bank account that is to receive the money is indicative of the local bank network (paragraphs 0004, 0005, 0007, 0010, 0024, 0033-0035, 0040). Therefore, it would have been obvious to one of ordinary skill in the art to include in the banking system of Gustin the ability to process international wire transfer as taught by Knight. One would have been motivated to do so in order to facilitate international electronic fund transfer that would permit a bank with access to a previously inaccessible existing international infrastructure, thereby enhancing the functionality of the process/system (paragraphs 0004-0005).

Re claims 5, 9, 10, 14 and 17: Gustin teaches a computerized method for transferring money, the method comprising: receiving at a host computer system from a point of sale device transactional information that includes information on a bank account that is to receive the money, wherein the money is provided in cash at the point of sale device (col. 4, lines 18-32, col. 19, lines 27-44, fig. 19F); storing the transaction information at the host computer system (col. 4, lines 18-32, col. 19, lines 27-44, fig. 19F).

Gustin does not explicitly teach transmitting at least some of the transaction information to an intermediary computer system that is configured to interact with a plurality of banking networks in a certain country; transmitting a request from the intermediary computer network to a local banking network information on the bank account that is to receive the money and an amount of

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money to deposit (claims 5 and 14); wherein the transactional information is transmitted to the intermediary computer system in real time or in batch mode (claim 9); wherein the transaction information that is sent to the intermediary computer system comprises an ACH transaction (claims 10 and 17)

Knight teaches transmitting at least some of the transaction information to an intermediary computer system that is configured to interact with a plurality of banking networks in a certain country (paragraphs 0004, 0007, 0010, 0024, 0033-0035, 0040); and transmitting a request from the intermediary computer network to a local banking network information on the bank account that is to receive the money and an amount of money to deposit (paragraphs 0004, 0007, 0010, 0024, 0033-0035, 0040); wherein the transactional information is transmitted to the intermediary computer system in real time or in batch mode (paragraphs 0004, 0007, 0010, 0024, 0033-0035, 0040); wherein the transaction information that is sent to the intermediary computer system comprises an ACH transaction (paragraphs 0004, 0007, 0010, 0024, 0033-0035, 0040).

Therefore, it would have been obvious to one of ordinary skill in the art to include in the banking system of Gustin the ability to process international fund transfer as taught by Knight. One would have been motivated to do so in order to facilitate international electronic fund transfer that would permit a bank with access to a previously inaccessible existing international infrastructure, thereby enhancing the functionality of the process/system (paragraphs 0004, 0034).

Re claim 6: Gustin teaches crediting the bank account with the amount of money (col. 4, lines 18-32, col. 19, lines 27-44, fig. 19F).

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Re claims 7 and 15: Gustin does not explicitly teach wherein the intermediary computer system comprises a regional bank computer system, wherein the request to deposit the money passes from the regional bank computer system and into the local banking network.

Knight teaches wherein the intermediary computer system comprises a regional bank computer system, wherein the request to deposit the money passes from the regional bank computer system and into the local banking network (paragraphs 0004, 0005, 0007, 0010, 0024, 0033-0035, 0040). Therefore, it would have been obvious to one of ordinary skill in the art to include in the banking system of Gustin the ability to process international wire transfer as taught by Knight. One would have been motivated to do so in order to facilitate international electronic fund transfer that would permit a bank with access to a previously inaccessible existing international infrastructure, thereby enhancing the functionality of the process/system (paragraphs 0004-0005).

Re claims 8 and 16: Gustin does not explicitly teach wherein the intermediary computer system comprises a regional banking association computer system, wherein the request to deposit the money passes from the regional bank association computer system and into the local banking network.

Knight teaches wherein the intermediary computer system comprises a regional bank association computer system, wherein the request to deposit the money passes from the regional bank association computer system and into the local banking network (paragraphs 0004, 0005, 0007, 0010, 0024, 0033-0035, 0040). Therefore, it would have been obvious to one of ordinary skill in

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the art to include in the banking system of Gustin the ability to process international wire transfer as taught by Knight. One would have been motivated to do so in order to facilitate international electronic fund transfer that would permit a bank with access to a previously inaccessible existing international infrastructure (paragraphs 0004-0005).

Claims 18, 20-21, 23-27 and 29-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gustin in view of Barbara (US 20020016769) and further in view of Kosuda (US 20010051923).

Re claims 18 and 25-26: Gustin teaches a method for processing a money transfer transaction where money is transferred into a recipient's bank account, the method comprising: entering into a point of sale device information on a bank account number of a bank account that is to receive the money, a bank name of a bank that is to receive the money; transmitting the entered information to a host computer system (col. 4, lines 18-32, col. 19, lines 27-44, fig. 19D-F); Gustin does not explicitly teach entering a location of the bank even though the FED routing code (ABA) could be indicative of the bank location. However, Barbara in the same field of art teaches entering information on a bank account number of a bank account that is to receive the money, a bank name of a bank that is to receive the money and a location of the bank (figs. 10-12, paragraphs 0078-0084). It would have been obvious to one of ordinary skill in the art at the time of the invention to include this feature to Gustin in order to specify the location of the recipient bank especially for non domestic banks.

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Gustin and Barbara do not explicitly teach incorporating the account number, bank name and location into a transaction identifier. However, as evidenced by Kosuda at paragraphs 0050, this concept is old and well known. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate this information into a single transaction identifier for the obvious reason of codifying the transaction message.

Gustin further teaches transmitting a customer identifier to the customer that is associated with the transaction identifier (col. 4, lines 18-32, col. 19, lines 27-44, fig. 19F).

Re claim 20: Gustin teaches entering into the point of sale device an amount to be transferred, and transmitting from the host computer system to a bank the transaction identifier and the amount to be deposited (col. 4, lines 18-32, col. 19, lines 27-44, fig. 19D-F).

Re claims 21, 23-24, 27 and 29-30: Gustin does not explicitly teach wherein the transaction identifier comprises an eighteen digit number, with the first three digits corresponding to the bank name, the second three digits corresponding to the bank location, the next eleven digits corresponding to the account number, and the last digit corresponding to a check digit. Kosuda teaches these concepts (paragraph 0050). However, Kosuda does not explicitly teach the designated number of digits and/or formats as recited in the claim. However, it would have been obvious to one of ordinary skills in the art at the time of the invention to modify Gustin and Kosuda combination to include the number of digits and/or formats as claimed as this depends on the requirement of the banking network. One would have been motivated to do this in order to

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be compliant with requirement of the banking network.

Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gustin in view of Barbara, Kosuda and further in view of Apostolides (US 20050075968).

Re claim 19: Gustin does not explicitly teaches entering the customer identifier into a point of sale device when performing another money transfer transaction, transmitting the customer identifier to the host computer system, and returning information contained in the transaction identifier from the host computer system to the point of sale device. Apostolides teaches the concept of using a key identifier (customer identifier) to execute a retrieval program to access, collect and pre-populates a data screen with other data (information contained in transaction identifier) associated with the key identifier (customer identifier) (paragraph 0114). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Gustin to include this concept such that the customer identifier is used to retrieve and pre-populate the host computer system with prior transaction information related to the customer identifier, obviating the need to input same transaction details, thereby saving time.

Claims 22 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gustin in view of Barbara, Kosuda and further in view of Orcutt (US 20050097050).

Re claims 22 and 28: Gustin does not explicitly teach adding zeros in front of the account number if less than eleven digits. Orcutt teaches this concept (paragraph 0261). Therefore, it

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would have been obvious to one of ordinary skills in the art at the time of the invention to modify Gustin to include this feature for the obvious reason converting the account number into appropriate format.

Claim 31 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gustin in view of Knight as applied to claim 14 above, and further in view of Silverstein et al (20090070230).

Re claim 31: Gustin does not explicitly teach wherein the host computer system is configured to return to one of the point of sale devices a list of prior transaction of the customer and receive a selection from among the prior transaction.

Silverstein teaches the concept of returning to a device a list of prior transactions of a customer and receiving a selection from among the prior transactions (fig. 26, paragraphs 0086, 0168). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Gustin to include this feature for the obvious reason of avoiding re-entering of data by pre-populating the data field for current transaction.

Claim 32 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gustin in view of Barbara in view of Kosuda as applied to claim 25 above, and further in view of Silverstein.

Re claim 32: Gustin does not explicitly teach wherein the host computer system is configured to return to one of the point of sale devices a list of prior transaction of the customer and receive a selection from among the prior transaction.

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Silverstein teaches the concept of returning to a device a list of prior transactions of a customer and receiving a selection from among the prior transactions (fig. 26, paragraphs 0086, 0168). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Gustin to include this feature for the obvious reason of avoiding re-entering of data by pre-populating the data field for current transaction.

(10) Response to Argument

The Examiner summarizes the various points raised by the Appellant and addresses them individually.

Applicant argues that the Knight reference fails to teach “determining with the intermediary computer system which one of the banking networks is associated with the bank account that is to receive the money”; and that none of the cited references teaches "incorporating the account number, bank name and location into a transaction identifier".

Examiner respectfully disagrees with Applicant assertions. Knight teaches that the provider bank formats payment instruction in accordance with a particular clearing system that is going to be used to transfer payment to a foreign bank. It is clear that the provider bank determines what appropriate format depending on which one of the banking networks (German RTGS or German MLNS) is associated with the bank account that is to receive the money (paragraph 0034).

Examiner further asserts that the concept of incorporating the account number, bank name and location into a transaction identifier is old and well known. In particular, Kosuda teaches this concept as old and well known in the art. Furthermore, the use of International Bank

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Account Numbers (IBAN) that incorporates account number, bank name and location into a transaction identifier is old and well known.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,
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22 April 2010

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